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ATTORNEY DOCKET: 40526.10001
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 19 2005

In re: Patent application of:
Stephen B. Maguire

Group Art Unit: 1723

Serial No.: 10/066,338

Examiner:
David L. Sorokin

Filed: January 31, 2002

For: LIQUID COLOR PUMPING METHOD AND
SUPPLY APPARATUSCharles N. Quinn
Reg. No. 27,223
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USPTO Customer No. 34,661INQUIRY LETTERVia Facsimile
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Introduction

This is a letter of inquiry regarding the status of the claims of priority for the above-identified patent application. This is **not** being submitted as a formal or substantive response to the outstanding official action bearing a mailing date of May 24, 2005.

ATTORNEY DOCKET: 40526.10001
PATENT

BACKGROUND

In the Examiner's action of November 9, 2004, the Examiner indicated that the official record of the United States Patent and Trademark Office does not reflect that the claim of priority was included with applicant's submission on March 12, 2002 in the declaration provided in response to the Notification of Missing parts, since the official record indicates that only two pages of the declaration, pages 1 and 3, were on file with the Office, and not the middle page (page 2) that contained the claim of priority.

In applicant's May 9, 2005 response to the November 9, 2004 official action applicant provided, through applicant's attorney; 1) a copy of the complete declaration with pages 1, 2 and 3 being included, 2) a copy of the return postcard for Applicant's March 12, 2002 response clearly showing that the three page declaration was received by the Office, and 3) a copy of the corresponding proof of mailing of the March 12, 2002 response enclosing the signed declaration.

In applicant's May 9, 2005 response, applicant requested that the Examiner indicate that the error resulting in the office's missing page 2 of the declaration was not due to applicant's failure to provide the claim of priority within the time frame required by 37 C.F.R. §1.78. Additionally, applicant requested that the Examiner accord to the present application the benefit of the claim of priority to United States provisional application serial number 60/265,347 and to amend the specification accordingly.

ATTORNEY DOCKET: 40526-1000#

REMARKS REGARDING MAY 24, 2005 OFFICIAL ACTION

In the official action bearing a mailing date of May 24, 2005, which was sent in reply to applicant's May 9, 2005 response, the Examiner was silent regarding the claim of priority and the request to amend the application accordingly. Applicant believes this may have been an oversight and requests clarification of this matter.

This letter of Inquiry was previously sent on July 27, 2005. However, as of the date of this letter, no reply has been received by the undersigned. **Due to the importance of this issue, Applicant requests that the Examiner contact the undersigned by telephone in order to avoid the need for Applicant to file a petition to enter the claim of priority for this application.**

To the extent there is any fee required in connection with the receipt, acceptance and/or consideration of this paper and/or any accompanying papers submitted herewith, please charge all such fees to Deposit Account 50-1943.

Respectfully submitted,

Date:

19 October 2005

CHARLES N. QUINN
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Attorney for Applicant

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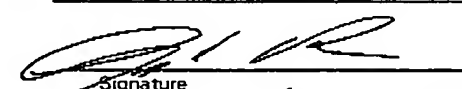
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GAYLE RUCKSTUHL

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I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being facsimile transmitted on the date indicated below to the United States Patent and Trademark Office to fax number (571) 273-8300.

BY: Gayle Ruckstuhl



Signature

DATE:

19 October 2005